

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

THE LAC VIEUX DESERT BAND OF LAKE  
SUPERIOR CHIPPEWA INDIANS TRIBAL  
COUNCIL, and the MEMBERS OF THE TRIBAL  
COUNCIL , JAMES H. WILLIAMS, JR., JOETTE  
PETE-BALDWIN, MICHELLE HAZEN ALLEN,  
MISAABE MCGESHICK, TRACY. R. PETE,  
GIIWEGIIZHIGOOKWAY MARTIN, ROBERTA  
L. IVEY, TYRONE MCGESHICK, and SHASTA  
KLINGMAN,

Petitioner,

v.

Case No. 2:10-cv-223  
HON. R. ALLAN EDGAR

LAC VIEUX DESERT BAND OF LAKE SUPERIOR  
INDIANS TRIBAL COURT, JUDGE BRADLEY  
DAKOTA, in his individual capacity, LAC VIEUX  
DESERT BAND TRIBAL POLICE, and THE IRON  
COUNTY SHERIFF'S DEPARTMENT,

Respondents.

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**ORDER**

Petitioners brought a petition for writ of habeas corpus pursuant to the Indian Civil Rights Act of 1968, 25 U.S.C. § 1303. On September 14, 2010, Magistrate Judge Timothy P. Greeley submitted his report and recommendation. [Doc. No. 11]. It is recommended that the habeas petition be dismissed without prejudice as moot because the petitioners are no longer in custody. The parties have not timely filed objections to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and W.D. Mich. LCivR 72.3(b). Accordingly, the petition for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE**. The Clerk of the District Court shall close the record in this case.

SO ORDERED.

Date: October 4, 2010

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE